



J. Craig Whitley
United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

IN RE:

MARK G. ANDERSON
KATHLEEN D. ANDERSON

SSN: xxx-xx-3774
SSN: xxx-xx-6710

DEBTORS))

CASE NO: 10-31775
Chapter 7

ORDER GRANTING RELIEF FROM AUTOMATIC STAY

THIS CAUSE coming on to be heard and being heard on July 29, 2010 before the undersigned United States Bankruptcy Judge for the Western District of North Carolina, upon request of the (Creditor) Motion for Relief from Stay by PNC MORTGAGE, A DIVISION OF PNC BANK, N.A. (PNC). The Court having considered the Motion and the record in this case finds and concluded as follow:

Base on the record, the evidence presented, and having considered that the Debtors' appeared at the hearing and offered no defense to the Motion for Relief from Stay, the STAY IS LIFTED regarding the property located at 5225 Silchester Lane, Charlotte, NC.

IT IS, THEREFORE, ORDERED that the stay against PNC is terminated immediately and the waiting period of F.R.B.P. 4001(a)(3) does not apply so that PNC, its successors or assigns, may enforce the lien of the Deed of Trust in the original amount of \$294,400.00 dated April 25, 2007 and recorded in Book 22150, Page 220, Mecklenburg County Registry, NC, and collect or recover the indebtedness thereby secured, by foreclosure or by any other action which may be available to them with respect to the property described therein or with respect to the proceeds of any sale thereof and is also allowed, pursuant to 11 U.S.C. §506(b), to assess \$600.00 to the mortgage account for attorney fees and cost incurred in filing the Motion for Relief.

IT IS FURTHER ORDERED that if a sale of the Real Property is held and excess proceeds are derived, then such proceeds shall be deposited with the Chapter 7 Trustee in this case.

This Order has been signed electronically.
The Judge's signature and Court's seal
appear at the top of the Order.

United States Bankruptcy Court